

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/691,763 10/18/00 VERTINO

P E0355/7003/E

HM12/0322

EXAMINER

EDWARD R GATES
WOLF GREENFIELD & SACKS PC
600 ATLANTIC AVE
BOSTON MA 02210

GOLDBERG, J

ART UNIT

PAPER NUMBER

1655

DATE MAILED:

03/22/01

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

Jeanine Enewold Goldberg

ART UNIT	PAPER
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1655 6

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeanine Enewold Goldberg whose telephone number is (703) 306-5817. The examiner can normally be reached on Monday-Friday from 7:00am- 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones can be reached on (703) 308-1152. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

W. Gary Jones
Supervisory Patent Examiner
Technology Center 1600

Notice to Comply	Application No.	Applicant(s)
	09/691,763	VERTINO, PAULA M.
	Examiner	Art Unit
	Jeanine Enewold Goldberg	1655

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set by the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

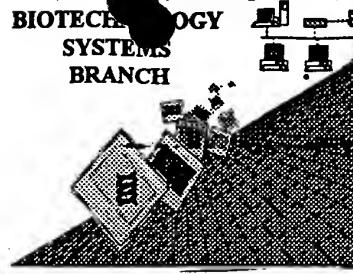
For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/691,763

Source: O/PE

Date Processed by STIC: 10/27/2000

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin30help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO).

Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be downloaded from the USPTO website at the following address:

<http://www.uspto.gov/web/offices/pac/checker>

OIPE

RAW SEQUENCE LISTING DATE: 10/27/2000
PATENT APPLICATION: US/09/691,763 TIME: 10:01:33

Input Set : A:\E03557003.txt
Output Set: N:\CRF3\10272000\I691763.raw

4 <110> APPLICANT: Wettling, Paula M.
6 <120> TITLE OF INVENTION: THMSI Compositions and Methods of Use
6 <130> FILE REFERENCE: F00357-7003/ERG/MAT
11 <140> CURRENT APPLICATION NUMBER: US/09/691,763
11 <141> CURRENT FILING DATE: 2000-10-18
11 <150> PRIOR APPLICATION NUMBER: US 60/159,975
12 <151> PRIOR FILING DATE: 1999-10-18
14 <160> NUMBER OF SEQ ID NOs: 27
16 <170> SOFTWARE: EPISTAR for Windows Version 3.0

ERRORRED SEQUENCES

190 <210> SEQ ID NO: 5
 191 <211> LENGTH: 330 *340*
 192 <212> TYPE: PRO
 193 <213> ORGANISM: Homo sapiens
 194 <220> FEATURE:
 195 <221> NAME/KEY: CDS
 196 <222> LOCATION: (17) .. (336)
 197 <400> SEQUENCE:
 198
 199
 200 cggatctt cttttttt tttttttt tttttttt cttttttt cttttttt cttttttt
 201 ggagcc atg aat gaa gac gac gac atc ctg gat gat ctg gag gac
 202 Met Asp Lys Arg Arg Asp Ala Thr Leu Asp Ala Leu Glu Asn
 203 11 5 10
 204 ctg acc gcc gca gtc
 205 Leu Thr Ala Asp Lys Leu Lys Lys Leu Ile Ser Val 150
 206 25 30
 207 ctg ctg cgt ttt
 208 Pro Leu Arg Glu Ile 200
 209 Pro Arg Glu Ala Leu Leu Ser 35
 210 40 45
 211 atg gac gcc ttttttt tttttttt tttttttt tttttttt tttttttt tttttttt
 212 Met Asp Ala Leu Ile 250
 213 50 55 60
 214 ttt
 215 Ser Tyr 300
 216 ttt
 217 ttt
 218 Thr Tyr Glu Ala Met Leu Thr Ala Asn Val Leu Arg Asp Met Glu Leu 350
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 E--> 223
 245 <210> SEQ ID N
 246 <211> LENGTH: 330
 247 <212> TYPE: PRO
 248 <213> ORGANISM: Homo sapiens
 249 <220> FEATURE:
 250 <221> NAME/KEY: CDS
 251 <222> LOCATION: (17) .. (336)
 252 <400> SEQUENCE:
 253
 254
 255
 256
 257 (next page) *340*

Does Not Comply
Corrected Diskette Needed

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/691,763

DATE: 10/27/2000
TIME: 10:01:33

Input Set : A:\E03557003.txt
Output Set: N:\CRF3\10272000\I691763.raw

See next page for more errors

09/69/763

3

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<211> 171
<212> PRT
<213> Rattus Norvegicus

<400> 23

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Ile	Pro	Arg	Gly	Ala	Leu	Leu	Gln	Met	Asp	Pro	Ile	Asp	Leu	Thr	Asp
								25					30		
Lys	Leu	Val	Xaa	Tyr	Tyr	Leu	Glu	Gly	Tyr	Gly	Leu	Glu	Leu	Thr	Met
						35	40				45				
Thr	Val	Leu	Arg	Asp	Met	Gly	Ile	Gln	Glu	Leu	Ala	Glu	Gln	Leu	Gln
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Thr	Thr	Asn	Gln	Asn	Lys	Met	Arg	Lys	Leu	Phe	Ser	Phe	Ala	Pro	Ala
					130		135				140				
Trp	Asn	Leu	Thr	Cys	Lys	Asn	Leu	Phe	Leu	Glu	Ala	Leu	Arg	Gln	Thr
					145		150			155			160		
Gln	Pro	Tyr	Leu	Val	Thr	Asp	Leu	Glu	Gln	Ser					
					165			170							

FYI

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

VERIFICATION SUMMARY
PATENT APPLICATION: US/09/691,763

DATE: 10/27/2000
TIME: 10:01:35

Input Set : A:\E03557003.txt
Output Set: N:\CRF3\10272000\I691763.raw

L:11 M:270 C: Current Application Number differs, Replaced Current Application No
L:11 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:223 M:252 E: No. of Seq. differs, <211>LENGTH:Input:339 Found:340 SEQ:5
L:260 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 7
L:260 M:252 E: No. of Seq. differs, <211>LENGTH:Input:58 Found:57 SEQ:7
L:306 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 9
L:527 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:22
L:527 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:22
L:559 M:361 W: Invalid Split Codon, Sequence data for SEQ ID#: 22
L:575 M:258 W: Mandatory Feature missing, <220> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <221> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <222> not found for SEQ ID#:23
L:575 M:258 W: Mandatory Feature missing, <223> not found for SEQ ID#:23
L:575 M:340 W: (46) "n" or "Xaa" used: Feature required, for SEQ ID#:23
L:726 M:252 E: No. of Seq. differs, <211>LENGTH:Input:414 Found:405 SEQ:26